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10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 ANGEL FRALEY; PAUL WANG; SUSAN  
15 MAINZER; JAMES H. DUVAL, a minor, by  
and through JAMES DUVAL, as Guardian ad  
Litem; and W.T., a minor, by and through  
16 RUSSELL TAIT, as Guardian ad Litem;  
17 individually and on behalf of all others similarly  
situated,

18 Plaintiffs,

19 v.

20 FACEBOOK, INC., a corporation; and DOES 1-  
21 100,

22 Defendants.  
23  
24  
25  
26  
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**Case No. CV 11-01726 RS**

**DECLARATION OF KEVIN M.  
OSBORNE IN SUPPORT OF  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL**

Courtroom: 3

Judge: Hon. Richard Seeborg

28 **DECLARATION OF KEVIN M. OSBORNE IN SUPPORT OF ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL**  
**Case No. CV 11-01726 RS**

1 I, KEVIN M. OSBORNE, declare and state as follows:

2 1. I am an attorney licensed to practice before all the courts of the State of California  
3 and I am admitted to practice before this Court. I am an attorney for Plaintiffs in this action. I  
4 have personal knowledge of the facts stated in this declaration, and if called upon to testify,  
5 could and would competently testify thereto. I make this Declaration in support of the  
6 Administrative Motion to File under Seal.  
7

8 2. The parties to this action have entered into a Stipulated Protective Order for  
9 Litigation Involving Highly Confidential Information and/or Trade Secrets. The Order was  
10 approved and signed by counsel for both parties on August 23, 2011 and Magistrate Judge Paul  
11 S. Grewal on September 15, 2011.  
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13 3. Counsel for Plaintiffs designated portions of the following depositions as  
14 "Confidential." Excerpts of the confidential information is included in Defendant's Motion for  
15 Preliminary Approval in redacted form. Defendant's Administrative Motion to File Under Seal  
16 moves to file those portions of following under seal.  
17

- 18 • Redacted portions of the deposition testimony of James Duval;
- 19 • Redacted portions of the deposition testimony of W.T.;
- 20 • Redacted portions of the deposition testimony of Russell Tait.

21 True and correct copies of these documents were lodged with the Court by Defendant along  
22 with its Motion for Preliminary Approval and Administrative Motion to File Under Seal in a  
23 separate envelope pursuant to Civil Local Rule 79-5.  
24

25 4. Counsel for Plaintiffs designated the deposition testimony of non-party witness  
26 Angel Fraley under seal as well as all exhibits thereto. The confidential documents are  
27

1 included in Defendant's Motion for Preliminary Approval. Defendant's Administrative Motion  
2 accompanying this Declaration moves to file the following under seal in their entirety.

- 3 • The deposition testimony of Angel Fraley (Exhibit F to Defendant's Motion);
- 4 • Ex. 1037 to the deposition testimony of Angel Fraley;
- 5 • Ex. 1042 to the deposition testimony of Angel Fraley;
- 6 • Ex. 1050 to the deposition testimony of Angel Fraley.
- 7

8 True and correct copies of these documents were lodged with the Court by Defendant along  
9 with its Motion for Preliminary Approval and Administrative Motion to File Under Seal in a  
10 separate envelope pursuant to Civil Local Rule 79-5.  
11

12 5. I declare under the penalty of perjury and under the laws of the United States of  
13 America that the forgoing is true and correct and based upon my personal knowledge and/or  
14 professional opinions, and that if called upon to testify, I could verify the accuracy of the same.

15 This document was executed in the city of San Francisco, California on October 12, 2012.  
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17  
18 By: 

19 KEVIN M. OSBORNE  
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